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**Attorneys for Defendants  
COUNTY OF SAN MATEO**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JANE DOE.

Plaintiff,

VS.

COUNTY OF SAN MATEO, et al.,

## Defendants.

Case No. 07-5596 SI  
(Related to 08-2541 SI)

**COUNTY OF SAN MATEO'S RESPONSE  
TO PLAINTIFF'S MOTION AND  
REQUEST FOR AN EXTENSION TO  
OPPOSE THE PENDING MOTION TO  
DISMISS IN THIS ACTION AND MOTION  
TO CONTINUE INITIAL CASE  
MANAGEMENT CONFERENCE DATE OF  
OCTOBER 3, 2008**

Jane Doe has filed a motion requesting an extension to oppose a pending motion to dismiss in case no. 07-05596. To the extent that Plaintiff seeks an extension of time to file an opposition to the County of San Mateo's motion to dismiss in this matter, Defendant County of San Mateo objects.

Defendant County of San Mateo filed its motion to dismiss on June 20, 2008, nearly three months ago. Since the date of filing, County of San Mateo's motion to dismiss has been set to be heard on October 3, 2008, giving Plaintiff more than sufficient notice and time to prepare an opposition to the motion. Plaintiff does not state good cause as to why she is seeking additional time to prepare an opposition to the motion.

Furthermore, Jane Doe asserts that the County of San Mateo and its individual employees named as defendants in related case no. 08-02541 SI have wrongfully refused to comply with Rule 4. Contrary Case No. 07-5596 SI

COUNTY OF SAN MATEO'S RESPONSE TO PLAINTIFF'S MOTION AND REQUEST FOR AN  
EXTENSION TO OPPOSE THE PENDING MOTION TO DISMISS IN THIS ACTION AND MOTION TO  
CONTINUE INITIAL CASE MANAGEMENT CONFERENCE DATE OF OCTOBER 3, 2008

1 to Jane Doe's motion filed today, Jane Doe and Deputy County Counsel Kathryn Alberti spoke on  
2 Monday on September 8, 2008, in which Ms. Alberti informed Ms. Doe that the County and its  
3 employees would be returning the signed waiver of service of summons by the due date of September 12,  
4 2008. Ms. Doe's statement in her moving papers is patently false.

5 For these reasons, the County of San Mateo requests that this Court deny Plaintiff's motion and  
6 request for an extension of time to file an opposition to Defendant County of San Mateo's pending  
7 motion to dismiss in this action and deny Plaintiff's motion to continue initial case management  
8 conference date of October 3, 2008.

9  
10 Dated: September 10, 2008

MICHAEL P. MURPHY, COUNTY COUNSEL

11  
12 By: \_\_\_\_\_ /s/  
13 John C. Beiers, Chief Deputy

14 Attorneys for Defendants  
15 COUNTY OF SAN MATEO  
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## **PROOF OF SERVICE**

**Jane Doe v. County of San Mateo, et al.  
Case No. 07-5596 SI (Related to 08-2541 SI)**

I do hereby declare that I am a citizen of the United States employed in the County of San Mateo, over 18 years old and that my business address is 400 County Center, Redwood City, California. I am not a party to the within action.

On September 10, 2008, I served the following document(s):

**COUNTY OF SAN MATEO'S RESPONSE TO PLAINTIFF'S MOTION AND REQUEST FOR AN EXTENSION TO  
OPPOSE THE PENDING MOTION TO DISMISS IN THIS ACTION AND MOTION TO CONTINUE INITIAL  
CASE MANAGEMENT CONFERENCE DATE OF OCTOBER 3, 2008**

on all other parties to this action by placing a true copy of said document(s) in a sealed envelope in the following manner:

(BY U.S. MAIL) by placing a true copy of said document(s) in a sealed envelope(s) addressed as shown below for collection and mailing at Redwood City, California following our ordinary business practices. I am readily familiar with this office's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

(BY PERSONAL SERVICE) I caused such envelope(s) to be hand-delivered to the addressee(s) shown below. A proof of service signed by the authorized courier will be filed forthwith.

(FEDERAL) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

**NAME AND ADDRESS OF EACH PERSON TO WHOM SERVICE WAS MADE**

JANE DOE  
1700 N POINT #107  
SAN FRANCISCO, CA 94123